

June 22, 2006

A regular meeting of the Village Board of the Town of Harrison, Westchester County, New York, was held at the Municipal Building, 1 Heineman Place, Harrison, NY, Westchester County, on the 22nd day of June at 7:30 PM, Eastern Daylight Savings Time. All members having received due notice of said meeting:

MEMBERS PRESENT:

Stephen Malfitano Mayor

Joseph Cannella)
Thomas Scappaticci). Trustees
Patrick Vetere)
Robert Paladino)

ALSO ATTENDING

Frank AllegrettiTown Attorney
Joseph LatwinDeputy Village Attorney
Hugh GreechanVillage Engineer
Judy D'AgostinisDirector of Purchasing
Maureen MacKenzieTreasurer
Robert WaspCommissioner of Public Works

** The following VBR numbers have been corrected.

June 22, 2006

V - - 2006 -- 56

RESOLUTION AUTHORIZING, SUBJECT TO PERMISSIVE REFERENDUM, ROADWAY RECONSTRUCTION, INCLUDING CURBS, SIDEWALKS AND DRAINAGE ON OAKLAND AVENUE, AT A MAXIMUM ESTIMATED COST OF \$430,000.

It was explained that the total amount of \$430,000 includes \$377,000 for the reconstruction of Oakland Avenue, plus \$50,000 for the parking lot, plus the bonding costs.

On motion of Trustee Cannella, seconded by Trustee Scappaticci,

it was

RESOLVED as follows:

A RESOLUTION AUTHORIZING, SUBJECT TO PERMISSIVE REFERENDUM, ROADWAY RECONSTRUCTION, INCLUDING CURBS, SIDEWALKS, AND DRAINAGE ON OAKLAND AVENUE, IN AND FOR THE VILLAGE OF HARRISON, AT A MAXIMUM ESTIMATED COST OF \$430,000 AND AUTHORIZING THE ISSUANCE OF \$430,000 SERIAL BONDS OF SAID VILLAGE TO PAY THE COST THEREOF.

BE IT RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the Board of Trustees of the Village of Harrison, Westchester County, New York, as follows:

Section 1. Roadway reconstruction, including curbs, sidewalks, and drainage on Oakland Avenue, as well as resurfacing of park access driveway, including fencing and drainage, in and for the Village of Harrison, Westchester County, New York, is hereby authorized, **SUBJECT TO PERMISSIVE REFERENDUM**, at a maximum estimated cost of \$430,000.

Section 2. The plan for the financing of the aforesaid maximum estimated cost is by the issuance of \$430,000 serial bonds of said Village, hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is fifteen (15) years, pursuant to subdivision 20(c) of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the serial bonds herein authorized **will exceed five years**.

Section 4. The faith and credit of said Village of Harrison, Westchester County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said Village, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Village Treasurer, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Village Treasurer, consistent with the provisions of the Local Finance Law.

Section 6. All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue serial bonds with substantially level or declining annual debt service, shall be determined by the Village Treasurer, the chief fiscal officer of such Village. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Village Treasurer shall determine consistent with the provisions of the Local Finance Law.

Section 7. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Village is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 9. Upon this resolution taking effect, the same shall be published in summary form in the *Journal News*, which is hereby designated as the official newspaper of said Village for such purpose, together with a notice of the Village Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 10. **THIS RESOLUTION IS ADOPTED SUBJECT TO PERMISSIVE REFERENDUM.**

Adopted by the following Roll Call vote:

Trustee Scappaticci	VOTING	AYE
Trustee Vetere	VOTING	AYE
Trustee Cannella	VOTING	AYE
Trustee Paladino	VOTING	AYE
Mayor Malfitano	VOTING	AYE

* number correction

June 22, 2006

V - - 2006 - - 57

APPROVAL OF A BID AWARD TO CENTRAL TREE SERVICE
FOR PHASE II OF THE TREE REMOVAL CONTRACT

On motion of Trustee Scappaticci, seconded by Trustee Cannella,

it was

RESOLVED to approve the Bid Award to Central Tree Service of 139 Maple Avenue, Rye, New York, for Phase II of the Tree Removal Contract, having met all the requirements and specifications and being the lowest bidder at their Total Net Bid Price of \$46,780, as follows:

- a. Lump sum.....\$26,860
- b. Maintenance & Protection of Traffic..... 2,000
- c. Unit Pricing at additional locations
(approximate quantities)..... 17,920

FURTHER RESOLVED that funding shall come from Capital Project #05PW27.

FURTHER RESOLVED to authorize the Village Attorney to prepare the contract and that the Mayor be authorized to sign it.

FURTHER RESOLVED to authorize the Treasurer, upon receipt of claims to audit and upon audit the Mayor to pay same.

FURTHER RESOLVED to forward a copy of this Resolution to the Treasurer, the Law Department, the Director of Purchasing and the Commissioner of Public Works.

Adopted by the following vote:

AYES: Trustees Cannella, Paladino, Scappaticci and Vetere
Mayor Malfitano

NAYS: None

ABSENT: None

* number correction

June 22, 2006

V - - 2006 -- 58 -- a

APPROVAL OF A PUBLIC INTEREST ORDER
RE: INCREASE AND IMPROVEMENT OF THE FACILITIES
OF THE CONSOLIDATED WATER DISTRICT
(INSTALLATION OF REPLACEMENT WATER LINES ON PINEHURST DRIVE)
AT A NEW MAXIMUM ESTIMATED COST OF \$310,720, PLUS BONDING COSTS

Treasurer MacKenzie explained that this is a new type of Resolution that has been requested by the bonding attorneys.

On motion of Trustee Scappaticci, seconded by Trustee Cannella,

it was

RESOLVED as follows:

WHEREAS, the Board of Trustees of the Village of Harrison, Westchester County, New York, has received written notice from the Westchester Joint Water Works that an increase and improvement of the facilities is required for the Consolidated Water District in the Village of Harrison, Westchester County, New York, consisting of the installation of replacement water lines on Pinehurst Drive, as well as installation of valves and hydrants, equipment, machinery, apparatus, appurtenances, and incidental improvements and expenses in connection therewith; and

WHEREAS, at a meeting of said Board of Trustees duly called and held on May 25, 2006, an order was duly adopted by it and entered in the minutes specifying the said Board of Trustees would meet to consider the increase and improvement of the facilities of the Consolidated Water District in said Village at a new maximum estimated cost of \$310,720 and to hear all persons interested in the subject thereof concerning the same at the Village Hall, in Harrison, New York, in said Village, on June 8, 2006, at 7:30 o'clock P.M., Prevailing Time; and

WHEREAS, said order duly certified by the Village Clerk was duly published and posted as required by law; and

WHEREAS, a public hearing was duly held at the time and place set forth in said notice, at which all persons desiring to be heard were duly heard; NOW, THEREFORE, BE IT

ORDERED, by the Board of Trustees of the Village of Harrison, Westchester County, New York, as follows:

Section 1. Upon the evidence given at the aforesaid public hearing, it is hereby found and determined that it is in the public interest to make the improvement, to increase and improve the facilities of the Consolidated Water District in the Village of Harrison, Westchester County, New York, consisting of the installation of replacement water lines on Pinehurst Drive, as well as installation of valves and hydrants, equipment, machinery, apparatus, appurtenances, and incidental improvements and expenses in connection therewith, at a new maximum estimated cost of \$310,720, plus bonding costs.

Section 2. This order shall take effect immediately.

Adopted by the following Roll Call vote:

Trustee Scappaticci	VOTING	AYE
Trustee Vetere	VOTING	AYE
Trustee Cannella	VOTING	AYE
Trustee Paladino	VOTING	AYE
Mayor Malfitano	VOTING	AYE

* number correction

June 22, 2006

V - - 2006 - - 58 --b

AUTHORIZATION FOR AN ADDITIONAL \$24,720 IN SERIAL BONDS FOR THE COSTS OF
THE INSTALLATION OF REPLACEMENT WATER LINES ON PINEHURST DRIVE

The additional sum of \$24,720 is required as part of the new maximum estimated cost of \$310,720, which is above the original bond of \$286,000 to pay for part of the cost of the increase and improvement of the facilities of the Consolidated Water District in the Village of Harrison consisting of the installation of valves and hydrants, equipment, machinery, apparatus, appurtenances and incidental improvements and expenses, as follows:

RESOLVED to authorize the issuance of an additional \$24,720 Serial Bonds of the Village of Harrison, to pay part of the cost of the increase and improvement of the facilities of the Consolidated Water District

WHEREAS, pursuant to the provisions heretofore duly had and taken in accordance with the provisions of Section 17-1712 of the Village Law and Section 202-b of the Town Law, and more particularly an order of even date herewith, said Board of Trustees has determined it to be in the public interest to increase the facilities of the Consolidated Water District in the Village of Harrison, Westchester County, New York, at a maximum estimated cost to the Village of \$286,000, and

WHEREAS, the Board of Trustees of the Village of Harrison, Westchester County, New York, previously authorizing the increase and improvement of the facilities of the Consolidated Water District in the Village of Harrison, Westchester County, New York, consisting of the installation of replacement water lines on Pinehurst Drive, as well as installation of valves and hydrants, equipment, machinery, apparatus, appurtenances, and incidental improvements and expenses in connection therewith, in and for said Village of Harrison, Westchester County, New York, at a maximum estimated cost of \$286,000; and

WHEREAS, it has now been determined that the maximum estimated cost of such specific object or purpose is \$310,720, an increase of \$24,720 over that previously authorized; and

WHEREAS, it is now desired to authorize the issuance of an additional \$24,720 bonds of said Village to provide funding for such capital project; NOW, THEREFORE, BE IT

RESOLVED, by the Board of Trustees of the Village of Harrison, Westchester County, New York, as follows:

Section 1. For the specific object or purpose of paying the additional cost of the increase and improvement of the facilities of the Consolidated Water District in the Village of Harrison, Westchester County, New York, consisting of the installation of replacement water lines on Pinehurst Drive, as well as installation of valves and hydrants, equipment, machinery, apparatus, appurtenances, and incidental improvements and expenses in connection therewith, there are hereby authorized to be issued an additional \$24,720 serial bonds of said Village pursuant to the provisions of the Local Finance Law.

Section 2. It is hereby determined that the maximum estimated cost of the aforesaid specific objects or purposes is now determined to be \$310,720, and that the plan for the financing thereof is as follows:

- a) By the issuance of the \$286,000 serial bonds of said Village previously authorized to be issued; and
- b) By the issuance of the additional \$24,720 serial bonds of said Village authorized to be issued pursuant to this bond resolution;

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific objects or purposes is forty years, pursuant to subdivision 1 of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the serial bonds herein authorized will exceed five years.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Village Treasurer, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Village Treasurer, consistent with the provisions of the Local Finance Law.

Section 5. The faith and credit of said Village of Harrison, Westchester County, New York, are hereby irrevocably pledged to the payment of the principal of and interest on such obligations as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year.

Section 6. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining debt service and all matters related thereto shall be determined by the Village Treasurer.

Section 7. The Village Treasurer is hereby further authorized, at his or her sole discretion, to execute a project financing and loan agreement, and any other agreements with the New York State Department of Health and/or the New York State Environmental Facilities Corporation, including amendments thereto, and including any instruments (or amendments thereto) in the effectuation thereof, in order to effect the financing or refinancing of the specific object or purpose described in Section 1 hereof, or a portion thereof, by a serial bond, and, or note issue of said Village in the event of the sale of same to the New York State Environmental Facilities Corporation.

Section 8. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Village is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 9. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 10. This resolution which takes effect immediately shall be published in summary form in ***The Journal News***, the official newspaper, together with a notice of the Village Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Adopted by the following Roll Call vote:

Trustee Scappaticci	VOTING	AYE
Trustee Vetere	VOTING	AYE
Trustee Cannella	VOTING	AYE
Trustee Paladino	VOTING	AYE
Mayor Malfitano	VOTING	AYE

June 22, 2006

V - - 2006 - - 59 -- a

APPROVAL OF THE PUBLIC INTEREST ORDER
RE: INCREASE AND IMPROVEMENT OF THE FACILITIES OF THE
CONSOLIDATED WATER DISTRICT -- WESTCHESTER JOINT WATER WORKS:
REPLACEMENT OF WATER MAINS ON LAKEVIEW AND WHITE PLAINS AVENUES
AT A MAXIMUM ESTIMATED COST OF \$655,000, PLUS BONDING COSTS

Treasurer MacKenzie stated that she will bond only the actual costs of the projects.

On motion of Trustee Scappaticci, seconded by Trustee Cannella,

it was

RESOLVED as follows:

WHEREAS, the Board of Trustees of the Village of Harrison, Westchester County, New York, has received written notice from the Westchester Joint Water Works that an increase and improvement of the facilities is required for the Consolidated Water District in the Village of Harrison, Westchester County, New York, consisting of the installation of replacement water mains on Lakeview and White Plains Avenues; and

WHEREAS, at a meeting of said Board of Trustees duly called and held on May 25, 2006, an order was duly adopted by it and entered in the minutes specifying the said Board of Trustees would meet to consider the increase and improvement of the facilities of the Consolidated Water District in said Village at a maximum estimated cost of \$655,000 and to hear all persons interested in the subject thereof concerning the same at the Village Hall, in Harrison, New York, in said Village, on June 8, 2006, at 7:30 o'clock P.M., Prevailing Time; and

WHEREAS, said order duly certified by the Village Clerk was duly published and posted as required by law; and

WHEREAS, a public hearing was duly held at the time and place set forth in said notice, at which all persons desiring to be heard were duly heard; NOW, THEREFORE, BE IT

ORDERED, by the Board of Trustees of the Village of Harrison, Westchester County, New York, as follows:

Section 1. Upon the evidence given at the aforesaid public hearing, it is hereby found and determined that it is in the public interest to make the improvement, to increase and improve the facilities of the Consolidated Water District in the Village of Harrison, Westchester County, New York, consisting of the installation of replacement water mains on Lakeview and White Plains Avenues, at a maximum estimated cost of \$655,000, plus bonding costs.

Section 2. This order shall take effect immediately.

WHEREAS, the Board of Trustees of the Village of Harrison, Westchester County, New York, has received written notice from the Westchester Joint Water Works that an increase and improvement of the facilities is required for the Consolidated Water District in the Village of Harrison, Westchester County, New York, consisting of the installation of replacement water mains on Lakeview and White Plains Avenues; and

WHEREAS, at a meeting of said Board of Trustees duly called and held on May 25, 2006, an order was duly adopted by it and entered in the minutes specifying the said Board of Trustees would meet to consider the increase and improvement of the facilities of the Consolidated Water District in said Village at a maximum estimated cost of \$655,000 and to hear all persons interested in the subject thereof concerning the same at the Village Hall, in Harrison, New York, in said Village, on June 8, 2006, at 7:30 o'clock P.M., Prevailing Time; and

WHEREAS, said order duly certified by the Village Clerk was duly published and posted as required by law; and

WHEREAS, a public hearing was duly held at the time and place set forth in said notice, at which all persons desiring to be heard were duly heard; NOW, THEREFORE, BE IT

ORDERED, by the Board of Trustees of the Village of Harrison, Westchester County, New York, as follows:

Section 1. Upon the evidence given at the aforesaid public hearing, it is hereby found and determined that it is in the public interest to make the improvement, to increase and improve the facilities of the Consolidated Water District in the Village of Harrison, Westchester County, New York, consisting of the installation of replacement water mains on Lakeview and White Plains Avenues, at a maximum estimated cost of \$655,000, plus bonding costs.

Section 2. This order shall take effect immediately.

Adopted by the following Roll Call vote:

Trustee Scappaticci	VOTING	AYE
Trustee Vetere	VOTING	AYE
Trustee Cannella	VOTING	AYE
Trustee Paladino	VOTING	AYE
Mayor Malfitano	VOTING	AYE

* number correction

June 22, 2006

V - - 2006 -- 59 -- b

AUTHORIZATION FOR THE ISSUANCE OF \$655,000 IN SERIAL BONDS IN THE VILLAGE OF HARRISON TO PAY COSTS CONSISTING OF THE INSTALLATION OF REPLACEMENT WATER MAINS ON LAKEVIEW AND WHITE PLAINS AVENUES

On motion of Trustee Cannella, seconded by Trustee Scappaticci,

it was

RESOLVED as follows:

Resolved to authorize the issuance of \$655,000 Serial Bonds of the Village of Harrison, to pay the cost of the Increase and Improvement of the Facilities of the Consolidated Water District in the Village of Harrison as follows:

WHEREAS, pursuant to the provisions heretofore duly had and taken in accordance with the provisions of Section 17-1712 of the Village Law and Section 202-b of the Town Law, and more particularly an order of even date herewith, said Board of Trustees has determined it to be in the public interest to increase the facilities of the Consolidated Water District in the Village of Harrison, Westchester County, New York, at a maximum estimated cost to the Village of \$655,000, plus bonding costs; and

WHEREAS, it is now desired to provide funding for such capital project; NOW, THEREFORE, BE IT

RESOLVED, by the Board of Trustees of the Village of Harrison, Westchester County, New York, as follows:

Section 1. For the specific object or purpose of paying the cost of the increase and improvement of the facilities of the Consolidated Water District in the Village of Harrison, Westchester County, New York, consisting of the installation of replacement water mains on Lakeview and White Plains Avenues, there are hereby authorized to be issued \$655,000 serial bonds of said Village pursuant to the provisions of the Local Finance Law.

Section 2. It is hereby determined that the maximum estimated cost of the aforesaid specific objects or purposes is \$655,000, and that the plan for the financing thereof is by the issuance of the \$655,000 serial bonds of said Village authorized to be issued pursuant to this bond resolution.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific objects or purposes is forty years, pursuant to subdivision 1 of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the serial bonds herein authorized will exceed five years.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Village Treasurer, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Village Treasurer, consistent with the provisions of the Local Finance Law.

Section 5. The faith and credit of said Village of Harrison, Westchester County, New York, are hereby irrevocably pledged to the payment of the principal of and interest on such obligations as the

same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year.

Section 6. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining debt service and all matters related thereto shall be determined by the Village Treasurer.

Section 7. The Village Treasurer is hereby further authorized, at his or her sole discretion, to execute a project financing and loan agreement, and any other agreements with the New York State Department of Health and/or the New York State Environmental Facilities Corporation, including amendments thereto, and including any instruments (or amendments thereto) in the effectuation thereof, in order to effect the financing or refinancing of the specific object or purpose described in Section 1 hereof, or a portion thereof, by a serial bond, and, or note issue of said Village in the event of the sale of same to the New York State Environmental Facilities Corporation.

Section 8. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Village is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 9. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 10. This resolution which takes effect immediately shall be published in summary form in ***The Journal News***, the official newspaper, together with a notice of the Village Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Adopted by the following Roll Call vote:

Trustee Scappaticci	VOTING	AYE
Trustee Vetere	VOTING	AYE
Trustee Cannella	VOTING	AYE
Trustee Paladino	VOTING	AYE
Mayor Malfitano	VOTING	AYE

June 22, 2006

V - - 2006 -- 60

**TABLED: REQUEST FOR AMENDMENT #5 TO THE CONTRACT
WITH DIVERSIFIED TECHNOLOGY CONSULTANTS FOR WORK
RELATED TO NEW SWIMMING POOL COMPLEX IN PASSIDOMO PARK
AT A COST NOT TO EXCEED \$322,000, INCREASING THE UPSET LIMIT TO \$860,000.**

Trustees Paladino and Vetere stated that they would not vote on this request at this time as they had received the documentation at 5:30 PM that day, which did not give sufficient time to review it. Mr. Paladino added that he had told (Commissioner of Public Works) Bob Wasp that he could come to the Municipal Building on either Monday or Tuesday to pick up the documents for review, but had not received a phone call asking him to do so.

Trustee Scappaticci stated that the documents had been delivered to his house on Wednesday night by a policeman.

Mayor Malfitano pointed out that none of the material was new, that the project had been discussed in full at various meetings.

After considerable discussion, it was agreed that the matter would be tabled, and that the Board would meet in a Special Session on either Tuesday or Thursday of the following week, depending on the schedules of the Board members. When it is decided, the Village Clerk will send out notices of the date and time.

NOTE: The Special Session was held on June 27, 2006, at 8:30 PM.

* number correction

June 22, 2006

V - - 2006 -- 61

**TABLED: REQUEST FOR AMENDMENT #6 TO THE CONTRACT
WITH DIVERSIFIED TECHNOLOGY CONSULTANTS FOR WORK
RELATED TO THE CONSTRUCTION DOCUMENT PHASE OF
THE WEST HARRISON STREETSCAPE IMPROVEMENTS
AT A COST NOT TO EXCEED \$170,000**

Trustees Paladino and Vetere stated that they would not vote on this request at this time as they had received the documentation at 5:30 PM that day, which did not give sufficient time to review it. Mr. Paladino added that he had told (Commissioner of Public Works) Bob Wasp that he could come to the Municipal building on either Monday or Tuesday to pick up the documents for review, but had not received a phone call asking him to do so.

Trustee Scappaticci stated that the documents had been delivered to his house on Wednesday by a policeman.

Mayor Malfitano pointed out that none of the material was new, that the project had been discussed in full at various meetings.

After considerable discussion, it was agreed that the matter would be tabled, and that the Board would meet in a Special Session on either Tuesday or Thursday of the following week, depending on the schedules of the Board members. When it is decided, the Village Clerk will send out notices of the date and time.

Fire Marshal Surace reminded the Board that there had been an agreement that the architects would meet with the W. Harrison Fire Department to discuss these improvements, specifically in regards to street widths and the turning radius for the fire trucks, but no one had contacted him. Mayor Malfitano stated that there had been meetings with the Chiefs of that Department to discuss these issues.

NOTE: The meeting was held on June 27th, 2006, at 8:30 PM.

* number correction

June 22, 2006

V - - 2006 -- 62

TABLED: REQUEST FOR AUTHORIZATION TO EXECUTE A CONTRACT WITH THE FIRM OF WOODARD AND CURRAN FOR GEOTECHNICAL SERVICES RELATED TO PROJECT HOME RUN, IN AN AMOUNT NOT TO EXCEED \$20,000

Commissioner of Public Works Wasp stated that there was now a need to integrate all the information that the Town has on the site, using an engineer who has familiarity with the work that had been done previously.

There was a question as to the lawsuit with the previous firm, and the Board was told by the Law Department that it was almost resolved.

Trustee Paladino questioned the choice of the firm, stating that the lead engineer on the project would be the same person as had been the lead engineer with the previous firm that did most of the work on the project. He added that he believed that this would result in a conflict of interest, due to the Village's problems with the previous firm and the material that is being proposed for review is the material which had been prepared by that previous firm.

Mr. Malfitano questioned (Commissioner of Public Works) Bob Wasp as to whether or not he had gotten a report from this new firm. Mr. Wasp stated that the report was coming but had not yet been received.

Trustee Vetere pointed that the Board had not talked about these details (as outlined in the proposal from Woodard and Curran).

Trustee Scappaticci agreed that there were new details.

After considerable discussion, it was agreed that the matter would be tabled, and that the Board would meet in a Special Session on either Tuesday or Thursday of the following week, depending on the schedules of the Board members. When it is decided, the Village Clerk will send out notices of the date and time.

NOTE: The meeting was held on June 27th, 2006, at 8:30 PM.

Trustee Paladino requested a short recess for an Executive Session for advice of counsel.

On motion duly made and seconded, with all members voting in favor, the Meeting was recessed at 8:55 PM

On motion duly made and seconded, the meeting was reconvened at 9:05 PM.

Trustee Paladino explained that he had requested an Executive Session to ask if he needed to recuse himself from the next vote as he does work for a sub-contractor of the proposed contractor. He added that he had been told that he did not need to recuse himself.

* number corrected

June 22, 2006

V - - 2006 - - 63 -- a

APPROVAL OF A BID AWARD TO ELQ INDUSTRIES FOR THE CONSTRUCTION
OF A VEHICLE CANOPY AND FUELING STATION ON PARK LANE (NIKE BASE)
AT A COST OF \$1,257,250

Village Engineer stated that they had advertised in a variety of publications, as well as sending the specifications to five contractors who had done work of this scope, that only two contractors showed up for the pre-bid conference, and only one Bid was received. He added that one contractor stated that he was just too busy.

It was pointed out that the Bid was within the project budget.

The Vehicle Canopy and Fueling Station are to be installed at the new Town/Village garage at the NIKE base site on Park Lane in West Harrison.

Trustee Vetere questioned approving this structure before the Needs Assessment was completed. Commissioner Wasp stated that the structure would be needed regardless of the outcome of the Assessment, as the Assessment would only address which operations would most efficiently go where, that they need technical assistance for determining the size of the various buildings.

On motion of Trustee Vetere, seconded by Trustee Scappaticci,

it was

RESOLVED to approve the Bid Award to ELQ Industries, Inc., 531 Fayette Avenue, Mamaroneck, NY 10543, for the construction of a vehicle canopy and fueling station at the new Town/Village garage at the NIKE base on Park Lane in West Harrison, having met the specifications of the Bid and being the only bidder, at a price of \$1,257,250.

FURTHER RESOLVED to bond the required funds for the project, and assign those funds to the Department of Public Works Capital Improvement Account #03GB12.

FURTHER RESOLVED to forward a copy of this Resolution to the Treasurer, the Village Attorneys, the Director of Purchasing, the Village Engineer and the Commissioner of Public Works.

Adopted by the following vote:

AYES: Trustees Vetere, Scappaticci and Paladino
Mayor Malfitano

NAYS: None

ABSENT: None

RECUSED: Trustee Cannella

* number correction

June 22, 2006

V - - 2006 -- 63 -- b

AUTHORIZATION FOR THE TREASURER TO BOND THE COSTS
OF THE VEHICLE CANOPY AND FUELING STATION
IN THE AMOUNT OF \$1,257,250 PLUS BONDING COSTS.

On motion of Trustee Scappaticci, seconded by Trustee Vetere,

it was

RESOLVED to authorize the Treasurer to bond the costs of the Vehicle Canopy and Fueling Station at the new Park Lane Garage at the NIKE base on Park Lane, in the amount of \$1,257,205 plus bonding costs.

FURTHER RESOLVED to forward a copy of this Resolution to the Treasurer, the Village Attorneys, the Director of Purchasing, the Village Engineer and the Commissioner of Public Works.

Adopted by the following Roll Call vote:

Trustee Scappaticci	VOTING	AYE
Trustee Vetere	VOTING	AYE
Trustee Paladino	VOTING	AYE
Mayor Malfitano	VOTING	AYE
Trustee Cannella	RECUSED	

* number correction

June 22, 2006

V - - 2006-- 64 -- a

AUTHORIZATION TO ADVERTISE AND RECEIVE BIDS FOR THE STREET PAVEMENT
RESURFACING AND REPAIRS WITH HOT MIX ASPHALTIC CONCRETE AT VARIOUS
LOCATIONS WITHIN THE TOWN AND VILLAGE OF HARRISON
2006 CONTRACT.

Mayor Malfitano pointed out that part of the cost of repaving Lakeview Avenue and White Plains Avenue would be shared with the Westchester Joint Water Works (as they had dug up those streets to install new water mains.) Engineer Hugh Greechan added that his office had received requests for repaving of various streets that totaled approximately \$1.5 million, although about \$700,000 was in the budget. Mayor Malfitano gave additional information regarding the division of the costs between the Village and the Water Works for Lakeview and White Plains Avenues, as well as other projects planned by the Water Works.

Trustee Paladino requested that Bradford Place be added to the list, adding that it is a short, dead-end street, with many potholes and some areas apparently are not now paved at all as it was last repaved about 20 years ago.

Trustee Scappaticci asked for the list of streets proposed for this year.

On motion of Trustee Scappaticci, seconded by Trustee Cannella,

it was

RESOLVED to authorize the Director of Purchasing to advertise and receive bids for the Street Pavement Resurfacing and Repairs with hot mix asphaltic concrete at various locations within the Town and Village of Harrison.

FURTHER RESOLVED to forward a copy of this Resolution to the Treasurer, Village Engineer, the Law Department, Commissioner of Public Works and the Director of Purchasing.

Adopted by the following vote:

AYES: Trustee Cannella, Paladino, Scappaticci and Vetere
Mayor Malfitano

NAYS: None

ABSENT: None

* number correction

June 22, 2006

V -- 2006 – 64 -- b

AUTHORIZATION FOR THE TREASURER TO USE \$51,800 IN C.H.I.P.S. FUNDS
FOR RESURFACING PROJECTS

On motion of Trustee Cannella, seconded by Trustee Scappaticci,

it was

RESOLVED to authorize the Treasurer to use \$51,800 in C.H.I.P.S funds for the resurfacing projects on Lakeview and White Plains Avenues.

FURTHER RESOLVED to forward a copy of this Resolution to the Treasurer, the Village Attorneys, the Director of Purchasing, the Village Engineer and the Commissioner of Public Works.

Adopted by the following vote:

AYES: Trustees Vetere, Cannella, Scappaticci and Paladino
Mayor Malfitano

NAYS: None

ABSENT: None

* number correction

June 22, 2006

V -- 2006 -- 65

AUTHORIZATION FOR EMERGENCY REPAIRS TO THE SANITARY SEWER
ON STERLING ROAD

Commissioner of Public Works Bob Wasp explained that sewer seepage had been found on a section of Sterling Road, near North Street. He continued that it was determined that two sections of the sewer had collapsed, and that perhaps 200 feet of the sewer would need to be replaced. He added that the Board of Health had been notified. Mr. Wasp stated that there was \$20,000 in the operating budget for sewer repairs, but he expected that the cost would exceed that amount. He then asked the Board for authorization for this emergency repair, and authorization to hire a contractor on an emergency basis to perform the repair.

On motion of Trustee Cannella, seconded by Trustee Scappaticci,

it was

RESOLVED to authorize Commissioner of Public Works Bob Wasp to hire a contractor to perform the emergency repairs needed for the sanitary sewer on Sterling Road.

FURTHER RESOLVED that Account #13-8120-100-0499 be charged for this repair, in the amount of \$20,000, with authorization to expend further funds if required.

FURTHER RESOLVED to forward a copy of this Resolution to the Treasurer, the Director of Purchasing, the Village Engineer and the Commissioner of Public Works.

Adopted by the following vote:

AYES: Trustees Vetere, Cannella, Scappaticci and Paladino
Mayor Malfitano

NAYS: None

ABSENT: None

* number correction

June 22, 2006

V -- 2006 -- 66

DISCUSSION

Resident Ernie Fiore, on behalf of his wife who is the Manager of the Washington Mutual Bank at the corner of Halstead Ave and Purdy Street, extended an invitation to the Board members and all Harrison residents to join the Bank in celebrating the Fourth of July. The Bank will have a vendor at that corner between 11AM and 3 PM on Friday, June 30th, with free hotdogs and soda for all who come. All residents are invited.

* number correction

June 22, 2006

V -- 2006 -- 67

MATTERS FOR EXECUTIVE SESSION

Litigation update	2
Potential litigation	1

On motion duly made and seconded, with all members voting in favor,
the Meeting was recessed for Executive Session at 9:30 PM.

On motion duly made and seconded, with all members voting in favor,
the Meeting was reconvened at 10:48 PM.

There being no further matters to come before the Board,
the Meeting was, on motion duly made and seconded,
with all members voting in favor, declared closed at 10:48 PM.

Respectfully submitted,

Joan B. Walsh
Village Clerk

* number correction